

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "APPARATUS AND METHOD FOR LIGAMENT FIXATION", the specification of which is filed herewith, and is identified by Attorney's Docket No. CHAN-23.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

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00315918-052099

I hereby claim priority benefits under Title 35, United States Code, Section 119(e), of (1) United States Provisional Patent Application Serial No. 60/086,329, filed 5/21/98 for APPARATUS AND METHOD FOR LIGAMENT FIXATION; and (2) United States Provisional Patent Application Serial No. 60/125,745, filed 3/23/99 for APPARATUS AND METHOD FOR LIGAMENT FIXATION.

I hereby appoint Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and William A. Bonk, III, Registration No. 40,521, or any of them, of 470 Totten Pond Road, Waltham, Massachusetts 02451-1914, (Telephone No. 781-290-0060), my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature: Kwan-Ho Chan  
Inventor's full name: Kwan-Ho Chan  
Date: May 19, 1999  
Residence: 4803 1st Place,  
Lubbock, Texas 79410  
Post Office Address: Same  
Citizenship: Canada

MR./CHAN23.DEC

[illegible]

CHAN-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kwan-Ho Chan  
Title: APPARATUS AND METHOD FOR LIGAMENT  
FIXATION  
Attorney's Docket No.: CHAN-23

VERIFIED STATEMENT CLAIMING SMALL BUSINESS ENTITY  
STATUS - INDEPENDENT INVENTOR

I, Kwan-Ho Chan, a citizen of Canada residing at Lubbock, Texas, as the inventor named in the above-identified application, hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for the purposes of paying reduced fees under Title 35, United States Code, Sections 41(a) and (b), to the United States Patent and Trademark Office with regard to the invention described and claimed in the above-identified U.S. Patent Application; that I have not assigned, granted, conveyed or licensed, nor based upon information and belief am I under any obligation under contract or law to assign, grant, license or convey any rights in said invention to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization as defined in 37 CFR 1.9(d) and (e), respectively.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the above-identified application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: May 19 1999

Kwan-Ho Chan